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37 C.F.R. 1.8

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September 24, 2004
Date

Gina N. Shishima

IFW AF
1635

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David Ralph *et al.*

Serial No.: 09/660,568

Filed: September 11, 2000

For: DIAGNOSIS OF DISEASE STATE USING
mRNA PROFILES IN PERIPHERAL
LEUKOCYTES

Group Art Unit: 1635

Examiner: McGarry, Sean

Atty. Dkt. No.: UROC:014USD1

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 24, 2004, finally rejecting claims 9-20 and 64. A request for a three-month extension of time is enclosed herewith bringing the due date to September 24, 2004.

The fee for filing this Notice of Appeal is \$330. If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included

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herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/UROC:014USD1.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



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Date: September 24, 2004